TABLE OF CONTENTS
2206548

Los Angeles County Sheriff's Department

Officer Involved Shooting

Report Date: 10-25-07	Bureau/Station/Facility: FOR II-Century Station	Admin. Invest.? ☐	Hit? ☐

Incident Information

URN: 007-20900-2137-055	Date: 10-24-07 Time: 2320 Hours
City or Station: Century Station	Nature of Incident: Deputies responded to the location regarding a man with a gun call. Upon their arrival, the suspect fled on foot. During the chase, the deputies saw a gun in the suspects left hand. The suspect pointed the gun at the deputies. Fearing they would be shot [redacted] & Vallozzi fired at the suspect. the suspect was wounded & apprehended a short time later.
Location: [redacted] Wilmington Avenue, Los Angeles (Unincorporated Area)	

Location Type (*circle one or more*): Backyard, Beach, Business, Freeway, Industrial, Park, (Parking Lot) [circled], (Residence) [circled], Rural, School, Street, Other: ____

Lighting (*circle only one*): (Darkness) [circled], Daylight, Other, Street Lights

Weather (*circle only one*): (Clear) [circled], Cloudy, Fog, Rain

Distance: 25 feet

Incident Type (*circle one or more*): Accidental, (Armed Person) [circled], (Fleeing Suspect) [circled], Foot Pursuit, Gun Take Away, Moving Vehicle, Sniper/Ambush, Startle, Struggle Involved, Traffic Stop, Unarmed Person, Unintentional, Vehicle Pursuit, Warrant Service, Warning Shot, Other: ____

Initiated by (*circle only one*): Arrest Warrant, (Call) [circled], Observation, One Person Unit, Other, Search Warrant, Two Person Unit

Prior Activity (*circle only one*): Detective, Inmate Transport, (Other) [circled], Routine Patrol

Aero Unit? ☐ Canine Unit? ☐

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect
12	0

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*)	ShiftType (*circle only one*)
[redacted]	Ponsford	James		EM (PM) Day	(Regular) Overtime Off Duty
[redacted]	Modica	Michael	A..	EM (PM) Day	(Regular) Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty

Non-Employee Witnesses

Last Name	First Name	M.I.
[redacted]	[redacted]	
Street Address / City / Zip Code / Work Ph / Home Ph		
[redacted]	[redacted]	
Street Address / City / Zip Code / Work Ph / Home Ph		
[redacted]	[redacted]	
Street Address / City / Zip Code / Work Ph / Home Ph		

Supervisors

Employee #	Last Name	First Name	M.I	(*circle one or more*)
[redacted]	Maldonado	Albert		(On Duty) [circled], Present during shooting, Witness to shooting, Involved in shooting
				On Duty, Present during shooting, Witness to shooting, Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Ellison	Dana	M.

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Bevans	William	C.

PSTD Use Only

SH # ____________

Officer Involved Shooting

URN: 007-20900-2137-055

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
10-25-07	0115 hours		

Employee #	Last Name	First Name	M.I
[redacted]	Baird	Marshall	W.
[redacted]	Taylor	Rossanna	F.
[redacted]	Whitham	David	

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S#1	E#1	FH					NN	
S#1	E#2	FH					NN	
E#1	S#1	FH	HK	45	Y	Y	GS	SH
E#2	S#1	FH	BR	9	Y	Y	GS	SH

Officer Involved Shooting
Involved Employee Information

URN: 007-20900-2137-055

Involved Employee

E 1

Employee # [redacted] Last Name [redacted] First Name [redacted] M.I. [redacted]

Sex: [redacted] Race: [redacted] | Rank: [redacted] | Unit Assignment: [redacted] | Work Assignment (Unit #, Module, etc.): [redacted]

ShiftTime (*circle only one*): [redacted] | ShiftType (*circle only one*): [redacted] | Intoxication/Drug Usage? ☐ | Substance Used:

Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case # | Interviewed? ☐

Hrs of sleep prior to shooting: 8 hours | Duty Time (hrs): [redacted] | Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest (circled) | Other Factors:

Age: [redacted] Height: [redacted] Weight: [redacted]

Range Qualification Date: [redacted] | PPC Qualification Date: [redacted] | Laser Training Date: [redacted]

Certified with Weapon Used? [redacted] | Patrol Certification? [redacted] | Certification Unit: [redacted] | Prior Shootings? [redacted] | Number of Prior Shootings: [redacted]

Field Training Officer Emp # [redacted] Last Name [redacted] First Name [redacted] M.I. [redacted]

Field Training Officer Emp # [redacted] Last Name [redacted] First Name [redacted] M.I. [redacted]

E 2

Employee # [redacted] Last Name Vallozzi First Name Alexander M.I. M.

Sex: M Race: W | Rank: Deputy Sheriff | Unit Assignment: Century | Work Assignment (Unit #, Module, etc.): [redacted]

ShiftTime (*circle only one*): EM, PM (circled), Day | ShiftType (*circle only one*): Regular (circled), Overtime, Off Duty | Intoxication/Drug Usage? ☐ | Substance Used:

Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case # | Interviewed? ☐

Hrs of sleep prior to shooting: 6-8 hours | Duty Time (hrs): [redacted] | Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest (circled) | Other Factors:

Age: [redacted] Height: 602 Weight: 190

Range Qualification Date: [redacted] | PPC Qualification Date: [redacted] | Laser Training Date: [redacted]

Certified with Weapon Used? [redacted] | Patrol Certification? [redacted] | Certification Unit: [redacted] | Prior Shootings? ☐ | Number of Prior Shootings: 1

Field Training Officer Emp # [redacted] Last Name [redacted] First Name [redacted] M.I. [redacted]

Field Training Officer Emp # [redacted] Last Name [redacted] First Name [redacted] M.I. [redacted]

E __

Employee # Last Name First Name M.I.

Sex: Race: | Rank: | Unit Assignment: | Work Assignment (Unit #, Module, etc.):

ShiftTime (*circle only one*): EM, PM, Day | ShiftType (*circle only one*): Regular, Overtime, Off Duty | Intoxication/Drug Usage? ☐ | Substance Used:

Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case # | Interviewed? ☐

Hrs of sleep prior to shooting: | Duty Time (hrs): | Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest | Other Factors:

Age: Height: Weight:

Range Qualification Date: | PPC Qualification Date: | Laser Training Date:

Certified with Weapon Used? ☐ | Patrol Certification? ☐ | Certification Unit: | Prior Shootings? ☐ | Number of Prior Shootings:

Field Training Officer Emp # Last Name First Name M.I.

Field Training Officer Emp # Last Name First Name M.I.

Officer Involved Shooting
Suspect Information

URN: 007-20900-2137-055

Suspect Information

S 1

Last Name: Jackson.		First Name: Albert	M.I.: Jr.
AKA Last Name: Junior		First Name:	M.I.:
Sex: M Race: Black	Street Address: [redacted]	City: [redacted]	State & Zip Code: [redacted]
Work Phone: [redacted]	Home Phone: [redacted]	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 21 D.O.B. 04-02-86	Height: 508 Weight: 180	FBI #: [redacted]	CII #: [redacted]
Booking #: 1031331	Primary Charge: 245 (a) (1) P.C.	Secondary Charge: 69 P.C.	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☒	Apprehended? ☒	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make: N/A		Model:	Year:

S__

Last Name:		First Name:	M.I.:
AKA Last Name:		First Name:	M.I.:
Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

S__

Last Name:		First Name:	M.I.:
AKA Last Name:		First Name:	M.I.:
Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

S__

Last Name:		First Name:	M.I.:
AKA Last Name:		First Name:	M.I.:
Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

See Other Side

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

HIT SHOOTING
EVALUATION

UNIT:	Century Station
DATE:	October 24, 2007
TIME:	2320 hours
LOCATION:	[redacted] Wilmington Avenue, Los Angeles, CA 90003
URN#:	007-20900-2137-055
IAB#:	SH22206548

NATURE OF INCIDENT:

On October 24, 2007, at approximately 2320 hours, Deputies [redacted] and Alexander Vallozzi were working Century Station Unit [redacted] PM shift. They responded to a call regarding a man with a gun in the area of [redacted] Wilmington Avenue, Los Angeles. The informant, [redacted] told the 911 operator that there was a group of approximately six males standing in front of the last apartment building on the east side of Wilmington Avenue, just north of El Segundo Boulevard ([redacted] Wilmington Avenue). [redacted] saw two of the males in possession of a handgun. [redacted] saw a third male simulating shooting a gun at [redacted] who was riding his motorcycle south on Wilmington Avenue. The suspect who had simulated shooting a gun at [redacted] advanced into the street towards [redacted] and proceeded to remove a handgun from his right front pants pocket. [redacted] fearing that he would be shot, then drove away and called the 911 operator via his cell phone. [redacted] had described the suspect who came after him with the handgun as being in his early to mid 20's, 5'6" , hair in braids, possibly had a slight mustache, wearing a white t-shirt and blue jean shorts.

Detectives James Ponsford and Michael Modica who were monitoring the information being given over the radio, decided that they would respond to [redacted] Wilmington Avenue. Upon their arrival, they saw Albert Jackson walk out to the sidewalk , look in their direction and immediately walk back into the apartment complex. They noticed Jackson matched the description of one of the individuals described in the radio call and attempted to contact him. Jackson fled. Ponsford and Modica pursued Jackson all the way around the apartment complex, and then back towards Wilmington Avenue.

As they pursued Jackson, Detective Ponsford saw Jackson holding a blue steel handgun in his left hand, while using his right hand to hold up his pants. Ponsford advised assisting units over L-TAC frequency that Jackson was armed with a handgun and running west toward Wilmington Avenue. When Jackson, who was still holding the handgun, reached Wilmington Avenue, he began running northbound on the east sidewalk. Jackson then turned and ran east down the driveway of the apartment complex at [redacted] Wilmington Avenue.

Deputies [redacted] and Vallozzi arrived at the entrance to the driveway of [redacted] Wilmington Avenue. [redacted] took a position on the north side of the driveway and Vallozzi took up a position on the south side of the driveway. Both deputies saw Jackson holding the handgun in his right hand. They ordered Jackson to stop, drop the gun and get on the ground. Jackson turned to his right and pointed a handgun at both deputies. Deputies [redacted] and Vallozzi fearing for their life and the life of their partner, fired their weapons at Jackson. Deputy [redacted] fired two rounds and Deputy Vallozzi fired seven to nine rounds. Jackson turned away and continued running until he disappeared out of sight down the darkened driveway.

When additional units arrived, they began to search for Jackson down the darkened driveway. They saw Jackson's foot protruding around the corner of the last apartment at the end of the driveway. Jackson was subsequently arrested and transported to Saint Francis Hospital where he was treated for a through and through gunshot wound to his right shoulder. No deputies were injured. A search for the Jackson's weapon met with negative results.

On June 16, 2008, Deputy District Attorney Sean Hassett issued a Letter of Opinion regarding the deputy involved shooting incident. In his review of the shooting, D.D.A. Hassett deemed Deputies [redacted] and Vallozziy acted lawfully in self-defense of others.

The following review is based on written documentation, interviews of witnesses, involved deputies, and medical staff.

INVOLVED PERSONNEL:

[redacted] Deputy Sheriff, #[redacted]

EMPLOYEE WORK HISTORY:

Date of Employment:
Date assigned to Patrol:
Completed Patrol Training:
Prior Shooting Incidents:
Prior Founded Force Incidents: [redacted]



VALLOZZI, Alexander, Deputy Sheriff, #[redacted]
Century Station, Field Operations Region II

EMPLOYEE WORK HISTORY:

Date of Employment:	September 30, 1996
Date assigned to Patrol:	[redacted]
Completed Patrol Training:	
Prior Shooting Incidents:	(1) 01-18-07,**SH 2188134,** Century, Armed Person
Prior Founded Force Incidents:	[redacted]

SUSPECT:

JACKSON, Albert, MB/21 yrs. DOB: 04-02-1996, 508, 160 lbs., brown/brown
[redacted]
Booking #[redacted] CII: [redacted] Main: FBI: [redacted]

Subject Jackson's criminal history consists of the [redacted]

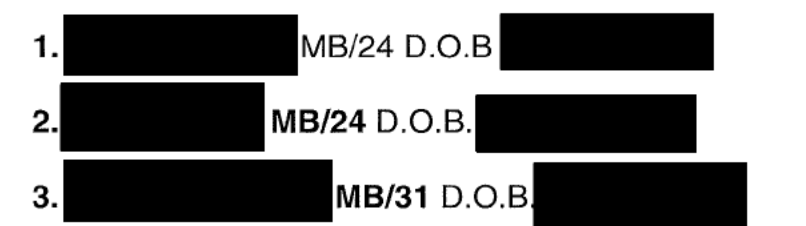
Refer to Exhibit A, pages 64 thru 78 for Suspect Jackson's Criminal History.

INVOLVED DEPUTY WITNESSES:

1. **Ponsford, James,** Deputy Sheriff, Employee #[redacted]
   Century Station
   Field Operations II

2. **Modica, Michael,** Deputy Sheriff, Employee #[redacted]
Century Station
Field Operations II

NON-DEPARTMENT WITNESSES:



1. [redacted] MB/24 D.O.B [redacted]

2. [redacted] **MB/24** D.O.B. [redacted]

3. [redacted] **MB/31** D.O.B. [redacted]

INJURIES:

Suspect:

Subject Jackson was transported to Saint Francis Medical Center where he was treated by Doctor Shepard. Doctor Shepard stated Subject jackson sustained one through and through gunshot wound to his right shoulder. Dr. Shepard approved the ok to book and Jackson was transported to Century Sheriff's Station.

Deputy Personnel:

No deputy personnel were injured.

WEATHER AND LIGHTING CONDITIONS:

This incident occurred during evening hours. The weather was hazy and warm.

WEAPONS USED BY SUSPECT:

Described as a black semi-automatic handgun N.F.D. No weapon recovered at scene.

WEAPONS USED BY DEPUTY PERSONNEL:

Deputy [redacted]
Service Weapon- Heckler & Koch, USP Compact, 45 Auto caliber (Serial Number [redacted], Double Action Semiautomatic Pistol,

Type Of Ammunition- 45 Auto caliber ammunition.
Ammunition- Two rounds fired and seven left in the magazine.
Shell Casings- Two 45 Auto caliber shell casings were located at the scene.
Date Employee Last Qualified: (Mobile Range): [redacted]
Date Last Trained With Weapon:

Deputy Alexander Vallozzi
Service Weapon- Beretta, 92F (Serial Number BER[redacted] Double Action Semiautomatic Pistol, 9mm luger
Type Of Ammunition- Winchester Range SXT 9mm Luger Ammunition.
Ammunition- Twelve rounds fired and four left in the magazine.
Shell Casings- Twelve 9mm caliber shell casings were located at the scene.
Date Employee Last Qualified: (Mobile Range): [redacted]
Date Last Trained With Weapon:

All weapons were examined, test fired, and found to be functional by Firearms Examiner Dale Falicon #[redacted] **Lab Receipt Number J909952,** Los Angeles County Sheriff's Department- Scientific Services Bureau, Firearms Identification Section (**Refer to Exhibit A)**

INVOLVED DEPUTY (S) STATEMENTS:

Deputy [redacted] **Employee #**[redacted] was interviewed by Homicide Investigators Jim Gates #[redacted] and David Castillo #[redacted] on October 25, 2007, at about 0450 hours. Sergeants Jack Ramirez and Irma Chevalier of Internal Affairs Bureau interviewed him on December 11, 2008, at about 1021 hours. The following is a summary of both interviews.

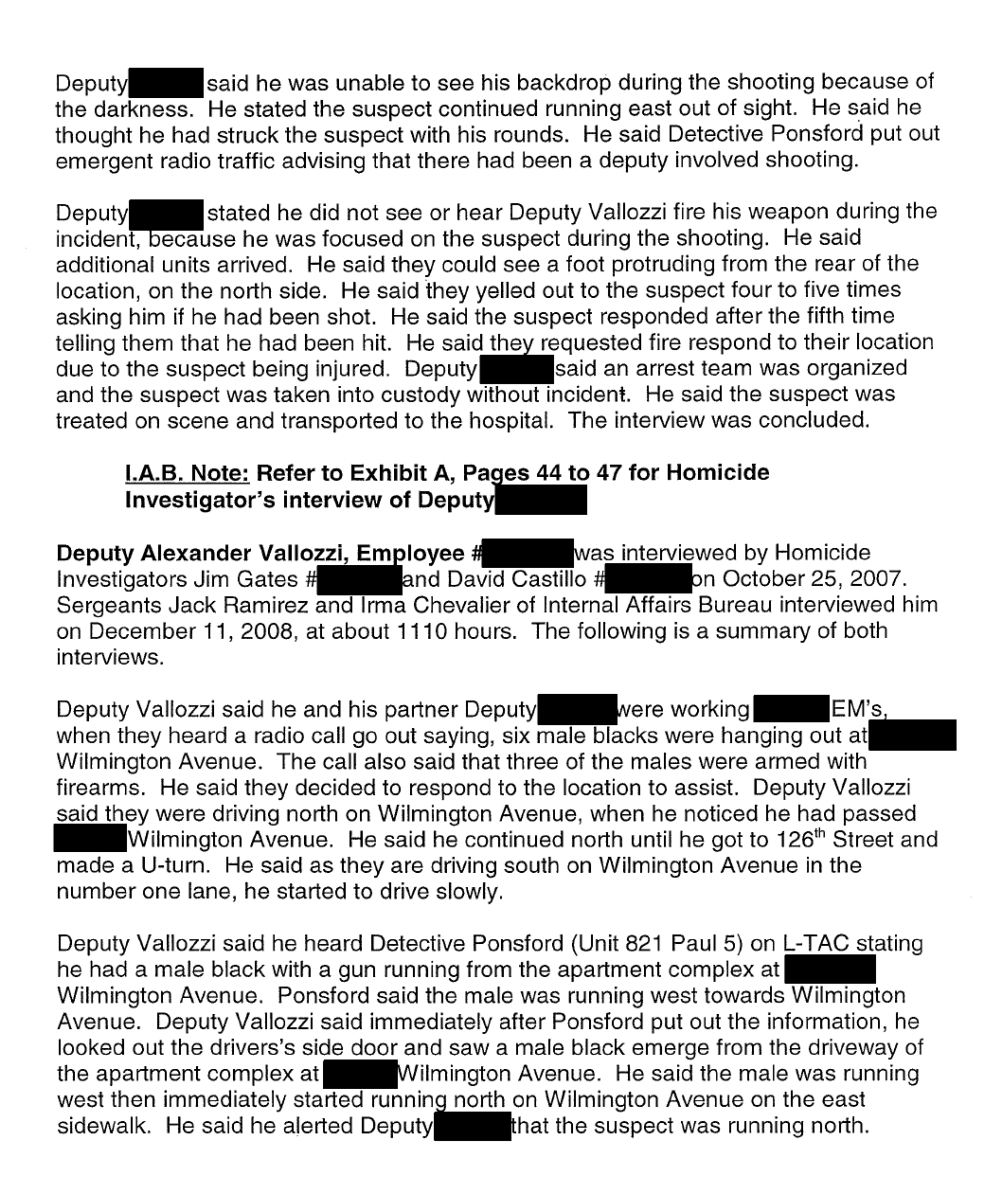
Deputy [redacted] said he and his partner Deputy Vallozzi were working [redacted] PM's when they heard a radio call go out. He said the call stated approximately six male blacks were standing in the area of El Segundo Boulevard and Wilmington Avenue. The call stated three of the males had guns. Deputy [redacted] said unit 216E PM's (Deputies Anderson & Guillen) were assigned to handle the call. He said they were responding from the north end of the area and requested they [redacted] check the area for the males and to advise them of the outcome. Deputy [redacted] said they drove north on Wilmington Avenue from El Segundo Boulevard and accidentally passed the location. Realizing they passed the location, they had to drive to 126th Street and make a U-turn because the street has a center median. He said they proceeded to drive south on Wilmington Avenue in the number one lane.

Deputy [redacted] stated Detectives Ponsford and Modica were first to arrive on scene. He said they parked their unit south of [redacted] Wilmington Avenue. Deputy [redacted] stated as they were driving south on Wilmington Avenue, they heard Detective Ponsford on the L-TAC frequency. Detective Ponsford put out radio traffic stating a male black was armed with a gun, running north on Wilmington Avenue from [redacted] Ponsford said the male was wearing a white shirt and blue jeans. Deputy [redacted] said as they drove south on Wilmington Avenue, he began scanning to the right looking for the suspect. He said he was the book man and Deputy Vallozzi was the driver. He said as he was looking for the suspect, his partner told him "Hey, there he comes right here." and pointed out toward the east sidewalk. Deputy [redacted] said he saw a male black, white shirt, blue jeans. He said the male had a gun in his right hand. He said the male was running north on Wilmington Avenue and saw Detective Ponsford chasing after him. Deputy [redacted] stated the situation was evolving rapidly, and was unable to put out radio traffic prior to exiting their patrol car.

Deputy [redacted] said they exited their patrol car, which they had parked in the number one southbound lane of Wilmington Avenue. He said they were just north of [redacted] Wilmington Avenue. He said they proceeded to run east across the northbound lanes of Wilmington Avenue. Deputy [redacted] said it appeared as if the suspect had not noticed them yet, because there was some northbound traffic. Deputy [redacted] said he and Deputy Vallozzi had their weapons out and proceeded to give the suspect verbal commands, while they were in between the number one and two northbound lanes of Wilmington Avenue. He said they told the suspect to put the gun down and to stop multiple times, but he refused to comply and continued to run. Deputy [redacted] said as the suspect reached the driveway of [redacted] Wilmington Avenue, he then turned right to go east down the driveway of [redacted] Wilmington Avenue.

Deputy [redacted] said he was north of the driveway and Deputy Vallozzi was south of his location, when the suspect went east down the driveway of [redacted] Wilmington Avenue. He said he was aware of where Deputy Vallozzi was during the entire incident. He said he initially saw Detective Ponsford chasing the suspect, but was primarily focused on the suspect and Deputy Vallozzi's location. Deputy [redacted] said [redacted] Wilmington Avenue is a triplex. He said the suspect was illuminated by the porch light of the second residence.

Deputy [redacted] said as the suspect ran east down the driveway, he suddenly turned to his body to the left, raising his right arm, and pointed a handgun in their direction. Deputy [redacted] said he was in fear for his and Deputy Vallozzl's life, so he fired two rounds from his duty weapon. Deputy [redacted] estimated the distance from the suspect to be approximately twenty-five to thirty feet at the time of the shooting.



Deputy [redacted] said he was unable to see his backdrop during the shooting because of the darkness. He stated the suspect continued running east out of sight. He said he thought he had struck the suspect with his rounds. He said Detective Ponsford put out emergent radio traffic advising that there had been a deputy involved shooting.

Deputy [redacted] stated he did not see or hear Deputy Vallozzi fire his weapon during the incident, because he was focused on the suspect during the shooting. He said additional units arrived. He said they could see a foot protruding from the rear of the location, on the north side. He said they yelled out to the suspect four to five times asking him if he had been shot. He said the suspect responded after the fifth time telling them that he had been hit. He said they requested fire respond to their location due to the suspect being injured. Deputy [redacted] said an arrest team was organized and the suspect was taken into custody without incident. He said the suspect was treated on scene and transported to the hospital. The interview was concluded.

> **<u>I.A.B. Note:</u> Refer to Exhibit A, Pages 44 to 47 for Homicide Investigator's interview of Deputy [redacted]**

Deputy Alexander Vallozzi, Employee # [redacted] was interviewed by Homicide Investigators Jim Gates # [redacted] and David Castillo # [redacted] on October 25, 2007. Sergeants Jack Ramirez and Irma Chevalier of Internal Affairs Bureau interviewed him on December 11, 2008, at about 1110 hours. The following is a summary of both interviews.

Deputy Vallozzi said he and his partner Deputy [redacted] were working [redacted] EM's, when they heard a radio call go out saying, six male blacks were hanging out at [redacted] Wilmington Avenue. The call also said that three of the males were armed with firearms. He said they decided to respond to the location to assist. Deputy Vallozzi said they were driving north on Wilmington Avenue, when he noticed he had passed [redacted] Wilmington Avenue. He said he continued north until he got to 126th Street and made a U-turn. He said as they are driving south on Wilmington Avenue in the number one lane, he started to drive slowly.

Deputy Vallozzi said he heard Detective Ponsford (Unit 821 Paul 5) on L-TAC stating he had a male black with a gun running from the apartment complex at [redacted] Wilmington Avenue. Ponsford said the male was running west towards Wilmington Avenue. Deputy Vallozzi said immediately after Ponsford put out the information, he looked out the drivers's side door and saw a male black emerge from the driveway of the apartment complex at [redacted] Wilmington Avenue. He said the male was running west then immediately started running north on Wilmington Avenue on the east sidewalk. He said he alerted Deputy [redacted] that the suspect was running north.

Deputy Vallozzi said he immediately put the car in park, in the number one northbound lane of Wilmington Avenue. He said they both exited the patrol car. He said when they initially saw the suspect running , he was approximately forty to fifty feet away from them. He described the suspect as a male black, corn rows, white shirt. He said the suspect had a firearm in his right hand. He said they started running in a southeast direction. He said they both had their weapons out. Deputy Vallozzi stated they started to give him verbal commands. He said they told the suspect to stop, to get on the ground and to drop the gun. He said they were approximately thirty feet away from the suspect as they gave him the verbal commands.

Deputy Vallozzi said the suspect failed to comply to their verbal commands. He said the suspect just looked at them, then immediately ran east down the driveway at [redacted] Wilmington Avenue. He said they ran to the mouth of the driveway of [redacted] Wilmington Avenue. He said Deputy [redacted] took up a position on the north side of the driveway. He said he started to run and take up a position on the south side of the driveway. He said he thought he was a little more off-set and north of the south side of the driveway. He said they again ordered the suspect to drop the firearm, stop running and to get on the ground. Deputy Vallozzi said they were approximately twenty-five to thirty feet away from the suspect at this point. He said the suspect again failed to comply to their verbal commands. He said the suspect suddenly turned his body to the right, then pointed the firearm, which he had in his right hand in their direction. Deputy Vallozzi said fearing for his and his partner's life, he fired seven to nine rounds at the suspect from his duty weapon. He said the suspect continued running east out of sight. He said while he fired his weapon, he was aware of the apartment complex being to the north of his location.

Deputy Vallozzi said after he fired the seven to nine rounds, he did a tactical reload in the event the suspect engaged them again. He said he wanted to have a full magazine. Deputy Vallozzi said after the shooting, Detective Ponsford put out emergent radio traffic. He said after a couple of minutes, they could see one of the suspect's feet protruding from the rear of the driveway on the north side. He said additional units arrived on scene and an arrest team was formulated. He said the suspect was taken into custody without incident.

I.A.B. Note: Refer to Exhibit A, Pages 44 to 47 for Homicide Investigator's interview of Deputy Vallozzi.

SUSPECT STATEMENTS:

Albert Jackson was interviewed by Homicide Investigator's Jim Gates and David Castillo on October 25, 2007, at about 0750 hours. The interview took place at the Century Regional Detention Facility.

Suspect Jackson told investigators on Wednesday, October 24, 2007, he was in the front yard area of the apartment complex located at [redacted] Wilmington Avenue. He said he was with five other males, one was in a wheelchair. He told investigators he was drinking and smoking while in the front yard. He said prior to the shooting, Sheriff's Deputies arrived regarding females fighting at the location. Suspect Jackson told investigators he did not recall any male on a motorcycle and denied ever showing a handgun to this individual. Suspect Jackson said the deputies left after about ten minutes.

Suspect Jackson told investigators when the deputies returned he was coming out of an apartment at the complex, located at [redacted] Wilmington Avenue. He told investigators he ran from the deputies. He said while he was running down the driveway, he heard deputies say, "Freeze, drop the gun". He told investigators when he heard the deputies command, he raised up his hands, then lowered his hands and continued to run. He told investigators at that point he was shot.

Suspect Jackson told investigators he ran because he believed he had warrants. Jackson said he ran to the rear of the apartment complex located at [redacted] Wilmington Avenue, then west through a driveway. He told investigators when he reached Wilmington Avenue, he began to run northbound. Jackson said when he started to run northbound on Wilmington Avenue, he saw two Deputy Sheriff's. He said when he began to run east down the driveway at [redacted] he heard the deputies say "Freeze". He told investigators he heard gunshots when he was almost to the rear of the driveway. Suspect Jackson told investigators he heard approximately ten gunshots. He believes one of the last gunshots struck him. He said after being hit by the gunshot, he laid on the ground on the north portion of the driveway. Suspect Jackson said after he realized he had been shot, he yelled to the deputies and told them he had been hit. Jackson told investigators he never had a gun in his possession. The interview was concluded.

> **<u>I.A.B. Note:</u> Refer to Exhibit A, Pages 46 & 47 of the Homicide Book for Interview of Suspect Albert Jackson.**

INVOLVED DEPUTY WITNESSES:

Deputy James Ponsford, Employee #[redacted] was interviewed October 25, 2007, by Homicide Investigators Gates and Castillo. Sergeant Marshall Baird of Internal Affairs Bureau was also present. Detective Ponsford said he and his partner Detective Michael Modica were assigned to the night Detective Bureau car. He said they heard one of the units receive a radio call involving several males with weapons. The location was in the area of Wilmington Avenue and El Segundo Boulevard. He said they decided to respond since they were only about a mile away.

Deputy Ponsford said once they had three to four units behind them, they decided to drive to the location. He said the handling unit responded to 124th & Wilmington Avenue in an attempt to contact the reporting party. Deputy Ponsford said they parked their unit south of [redacted] Wilmington Avenue behind a commercial truck. He said this gave them concealment from the north. He said they waited and monitored the L-TAC radio frequency. He said the handling unit was having difficulty locating the informant. Deputy Ponsford said while they are waiting, they saw a male black on foot and another male black in a wheelchair. He said the males were in front of [redacted] Wilmington Avenue.

Deputy Ponsford said they saw the male on foot walk west and it appeared that he noticed them. He said the male then made an about face. He said they decided to contact him thinking he could possibly be involved, or that he may have seen something. He said they went over to the walkway and told the male to walk toward their location. He told investigators the suspect ignored their commands and proceeded to walk eastbound towards the southeast corner of the apartments. Deputy Ponsford said they moved faster in order to close their distance on the suspect. He said the suspect then moved even faster. Ponsford said the suspect was aware that they were behind him, because the suspect looked back a couple of times. He said the suspect was walking at a fast pace, but was still not running. Ponsford told investigators the suspect's actions alerted them even more. He said he told Detective Modica that this might be their guy (suspect).

Deputy Ponsford told investigators when the suspect reached the rear corner of the apartment complex, he took off running and they lost sight of the suspect. He said when they reached the corner, they made sure to clear the area because they did not want to get ambushed. He said they had their weapons out. Ponsford said they cleared the area as they moved north through the parking area of the apartment complex. He said as they were clearing the area, they heard the sound of feet running. He said they knew the suspect was not east of them, because they had cleared that area. He said he believed the suspect was running west. He said he looked around the corner of the northeast portion of the apartment complex and saw the suspect running west. Ponsford told investigators he gave chase because he did not want to lose sight of the suspect. He said the suspect had a gun in his left hand as he ran. He said the suspect was holding his pants up with his right hand as he ran.

Deputy Ponsford said he put out over L-TAC that the suspect with the gun was running westbound towards Wilmington Avenue. He said he gave a brief description, male black, white t-shirt, blue long pants. Deputy Ponsford said he continued to broadcast the direction of the suspect as the suspect arrived at the sidewalk and proceeded in a north direction. Deputy Ponsford said as he arrived at the sidewalk, he stopped, due to he knowing that deputies were north of his location and if a shooting were to occur,

he would be in the direct line of fire. He remained at the sidewalk and continued to observe the suspect as he proceeded north on the sidewalk, then turned east into the driveway of the apartment complex located at [redacted] Wilmington Avenue.

Deputy Ponsford told investigators he proceeded toward [redacted] Wilmington Avenue, when he saw Deputies [redacted] and Vallozzi arrive at the driveway entrance. He said Deputy [redacted] took up a position on the north side of the driveway and Deputy Vallozzi took up a position on the south side of the driveway. He said he saw Deputy Vallozzi fire his weapon several times in a east direction in the driveway. He said he saw Deputy [redacted] fire two to three rounds in the same direction. Deputy Ponsford said he got on the working frequency (Dispatch 4) and advised that a deputy involved shooting had occurred at the location and that the suspect was still outstanding.

Deputy Ponsford told investigators once additional units arrived, they organized an arrest team and took the suspect into custody. He told investigators that Deputy Modica was behind him while they chased the suspect to the sidewalk. He said he told Deputy Modica to stay in the driveway in the event the suspect decided to double back on them. He concluded by saying the suspect was treated on scene, then transported to the hospital.

> **<u>I.A.B. Note:</u> Refer to Exhibit A, Pages 38 to 41 for Homicide Investigators interview of Deputy Ponsford.**

Deputy Michael Modica, Employee #[redacted] said he and his partner, Deputy Ponsford, monitored a radio call of several males with firearms in the area of Wilmington Avenue and El Segundo Boulevard. He said they responded to the call and staged on Wilmington Avenue, north of El Segundo Boulevard. He told investigators while they were at the location, they were advised that the males were last seen walking into the apartment complex ([redacted] Wilmington Avenue). Deputy Modica said he and his partner took up a position by the vacant field, south of the apartment complex. He said from this position, they could observe the apartment complex without being seen.

He told investigators as they remained in their position, they heard over the radio that the person or persons with the guns were last seen entering the apartment complex. Deputy Modica said he saw a male standing at the gate, which accesses the apartment complex from Wilmington Avenue, proceed into the apartment complex. He told investigators he also saw a male in a wheelchair inside the gate and in front of the apartment building. He said the male walking to the apartment complex matched the description of the male with the gun. He stated the male walked to the stairwell

accessing the second story of the park complex and appeared to hide or conceal himself.

Deputy Modica told investigators that, based on what he and his partner had seen, they exited their vehicle, advised over L-TAC frequency on his radio that they had seen a male who matched the description of the person with the gun enter the apartment complex. He advised they were going to attempt to contact the male.

Deputy Modica said he and Deputy Ponsford entered the gate in front of the apartment complex and proceeded along the south side of the apartment building and saw the male walking east toward the rear of the apartment complex. Deputy Modica said he shouted for the male to stop and saw the male look back in his direction, then, then with both hands, reached for his waistband in front of his body and proceed to rapidly walk toward the rear of the complex.

Deputy Modica told investigators he and his partner followed the male to the east side of the apartment complex, then in a north direction to the north side of the apartment building. Deputy Modica said prior to entering the area on the east side of the apartment building, Deputy Ponsford took up a tactical position at the southeast corner of the apartment building and carefully cleared the area on the east side of the building prior to he and Deputy Ponsford entering the area. He told investigators they repeated this tactical exercise as they arrived at the north side of the building. The reason for this, was to assure themselves that the male had not concealed himself in the area and they were not walking into an ambush.

Deputy Modica said he and his partner arrived on the north side of the apartment building at [redacted] Wilmington Avenue, and saw the male running in a west direction toward Wilmington Avenue. Deputy Modica described the area on the north side of the apartment structure [redacted] as a large driveway which is utilized by the residents of the apartment building at [redacted] Wilmington Avenue and the apartment building at [redacted] Wilmington Avenue. He told investigators there were three vehicles parked in the center of the driveway and recalled one of the vehicles being a Jeep Cherokee or similar type vehicle. He said it was this vehicle, where he saw the male remove a small handgun and hold it in his left hand as he continued to run toward Wilmington Avenue.

Deputy Modica told investigators as he and his partner were pursuing the male, he saw Deputy Ponsford broadcasting their location and the location of the male over his handheld radio. He said he also provided the information over his radio, on the L-TAC frequency, in case Deputy Ponsford was on a different frequency. He said Deputy Ponsford was approximately ten feet in front of him during the pursuit of the male. He said he also advised units of the direction of the suspect and to cordon off the area.

Deputy Modica said as they continued to pursue the male, he saw the male run northbound on the sidewalk paralleling the apartment complex and turn east into the driveway of the apartment complex at [redacted] Wilmington Avenue, which is the next apartment complex north of [redacted] Wilmington Avenue. Deputy Modica said he saw two additional deputies arrive at the front of [redacted] Wilmington Avenue. He told investigators he changed direction, due to the fact that Deputy Ponsford was traveling in the direction of the two deputies, and feeling that if the suspect decided to jump a fence and return to the apartment complex that he had fled from, he would intercept the suspect by taking a position in the middle of the driveway of the apartment complex [redacted] if the suspect did this. Deputy Modica said he turned to position himself in the middle of the driveway and heard approximately 6-10 shots coming from where he had seen the deputies. He said he heard Deputy Ponsford broadcast over the radio that the suspect was now traveling east in the driveway of [redacted] Wilmington Avenue.

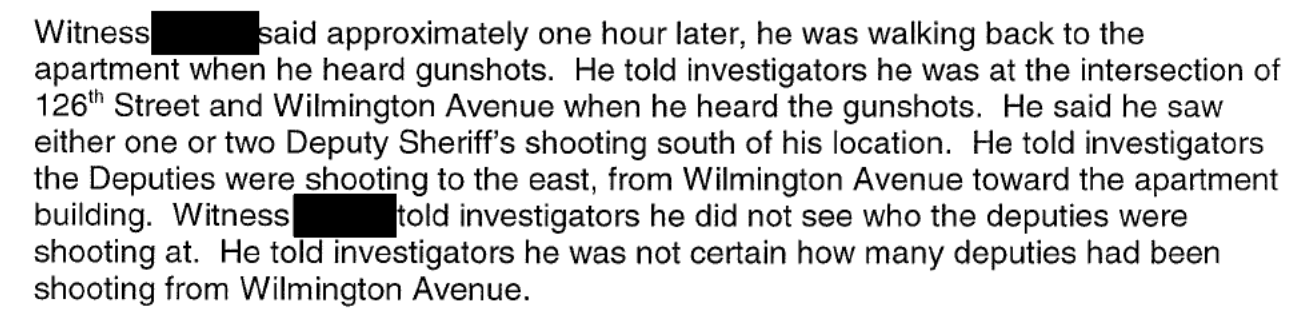
Deputy Modica told investigators he continued his containment in the driveway until he was relieved by additional personnel. He said he proceeded to the front of the apartment complex at [redacted] Wilmington Avenue and saw the feet of the suspect protruding onto the driveway. He told investigators the suspect was given several commands to show his hands. He said an arrest team took the suspect into custody. Deputy Modica said the suspect was treated at the location and transported to the hospital.

Deputy Modica told investigators the person taken into custody, was the same person they had pursued from the apartment complex at [redacted] Wilmington Avenue. The interview was concluded at this point.

I.A.B. Note: Refer to Exhibit A, Pages 35 to 37 for Homicide Investigator's interview of Deputy Modica.

NON-DEPARTMENT WITNESSES:

[redacted] was interviewed on October 25, 2007, at about 0245 hours. Mr. [redacted] told investigators he was walking southbound on Wilmington Avenue on the east side of the street. He stated when he reached 126th Street, he heard gunshots. He said approximately one hour before the shooting occurred, a male black showed him a handgun. He told investigators a friend of his called him and said some females at the apartment located at [redacted] Wilmington Avenue were involved in a disturbance. Mr. [redacted] said this happened approximately one hour prior to the shooting. He said when he walked down to the apartment building ([redacted] Wilmington Avenue), the male black showed him the handgun.



Witness [redacted] said approximately one hour later, he was walking back to the apartment when he heard gunshots. He told investigators he was at the intersection of 126th Street and Wilmington Avenue when he heard the gunshots. He said he saw either one or two Deputy Sheriff's shooting south of his location. He told investigators the Deputies were shooting to the east, from Wilmington Avenue toward the apartment building. Witness [redacted] told investigators he did not see who the deputies were shooting at. He told investigators he was not certain how many deputies had been shooting from Wilmington Avenue.

Witness [redacted] said an hour before the shooting, when the male black showed him the handgun at the apartment building located at [redacted] Wilmington Avenue, he believed the handgun was a .45 caliber semi-automatic. Witness [redacted] said he had just met this male Black and did not know his name. He told investigators the male Black with the handgun was twenty-one years old, wearing a white shirt, blue jean pants and black Nike shoes. Witness [redacted] said the male Black also had braids in his hair. Witness [redacted] said he heard a total of twenty to twenty-five gunshots.

Witness [redacted] said he believed that the deputies on Wilmington Avenue were being fired upon, however, he said he was not certain. He told investigators he was certain the deputies were facing east on Wilmington Avenue. He told investigators he could recognize the male Black who had showed him the handgun. The interview was concluded.

On October 26, 2007, Investigators contacted witness [redacted] at the Century Sheriff's Station. Investigators advised him of the procedures regarding the viewing of six-pack photo line-ups. Witness [redacted] then viewed the photo line-up labeled #1. After briefly viewing the line-up, Witness [redacted] pointed to position six, said that was the individual he observed with a gun one hour prior to the Deputy involved Shooting. Suspect Jackson was in the number six position.

<u>I.A.B. Note:</u> Refer to Exhibit A, Pages 32 to 33 for Homicide's Interview of Witness [redacted]

[redacted] was interviewed on October 25, 2007, at about 0330 hours. Witness [redacted] told investigators he was driving his motorcycle from east 126th Street onto the southbound lane of Wilmington Avenue at a slow rate of speed. He said as he proceeded south in the number one lane, he saw a male black pointing his hands in his direction as if simulating a handgun. Witness [redacted] said the male was in the company of approximately 5-6 males at the location. Witness [redacted] said he also saw two of the males in front of the apartment complex in possession of handguns. He said one male was wearing all black, 6'0 and another male was shorter (NFD).

Witness [redacted] described the location the males were in front of, as being the [redacted] apartment complex on the [redacted] side of Wilmington Avenue, north of El Segundo Boulevard. Witness [redacted] said the reason he drove slowly on Wilmington Avenue was due to the sprinklers in the center divider being activated and water was over flowing onto the southbound lanes of Wilmington Avenue.

Witness [redacted] told investigators he proceeded southbound in the number one lane of Wilmington Avenue and saw the male who simulated pointing a gun at him, began to walk in a west direction toward the center divider. He said as the male walked, the male placed his right hand in his right front pants pocket and pulled the pocket away from his body, exposing the butt of a handgun. He told investigators he could see the outline of the gun in the male's pocket. He said the gun could have been a 9mm. He said the butt of the gun was black and it might have had a chrome finish.

He told investigators the male continued to look at him as he began to remove the gun from his pocket. Witness [redacted] said as the male was about to enter the number one northbound lane of Wilmington Avenue, he feared that something was going to happen to him, so he increased speed of his motorcycle and proceeded to the Arco Gas Station on the northwest corner of Wilmington Avenue and El Segundo Boulevard to call the police and report what he had seen.

Witness [redacted] told investigators he continued to watch the male, who had walked back toward the sidewalk on the east side of Wilmington Avenue, then noticed that the male changed directions and walked toward the Arco Gas Station, he was at. He drove his motorcycle onto El Segundo Boulevard and proceeded eastbound to Willowbrook Avenue, turned northbound on Willowbrook Avenue to 124th Street, turned west on 124h Street to Wilmington Avenue where he stopped his motorcycle in front of a dairy and called 911 to report his observations.

Witness [redacted] described the male who attempted to approach him with the handgun as being black, in his 20's, 5'6, hair in braids, possibly had a slight mustache, wearing a white t-shirt and blue jean shorts, unknown color of shoes.

Witness [redacted] told investigators he saw the arrival of the deputies at the location and saw one of the patrol cars drive past the location where the males had been in front of. He said he was on the phone with the operator and advised the operator that one of the patrol cars was in the vicinity of where the males were at. He told the operator that he could see a patrol car backing up and advised that the males were behind cars at the apartment complex and were difficult to see from the street. He said apparently the police officers observed the males, because he stopped the patrol car in the vicinity of the apartment complex.

Witness [redacted] told investigators a short time after the deputies arrived at the location, he heard several gunshots coming from the area where the deputies stopped their car. He said he did not see who was firing the shots, he could only hear them. He said he heard approximately 6-7 shots. The interview was concluded.

<u>I.A.B. Note:</u> Refer to Exhibit A, Pages 33 & 34 for Homicide Investigators interview of Witness [redacted]

[redacted] was interviewed by Homicide Investigators Gates and Castillo, at 0857 hours. He told investigators he and Suspect Jackson were in front of the location after the argument between the females had ended. He told investigators that Suspect Jackson never had a gun. Mr. [redacted] told investigators deputies entered the property and told him not to move or they would shoot him. Mr. [redacted] told investigators Suspect Jackson was just going to urinate and that is why he (Jackson) walked to the east side of the apartment structure.

Witness [redacted] told investigators that he remained in front of the apartment complex as the deputies pursued Suspect Jackson around the apartment structure, then back to the sidewalk on the east side of Wilmington Avenue. He said he saw two deputies get out of a patrol car when they arrived on the east side of Wilmington Avenue, then they (the deputies) shot at Suspect Jackson. He said one of the deputies who shot at Suspect Jackson had stated "Hey come here," before he shot. He said he also recalled hearing deputies telling Suspect Jackson to "freeze, stop" prior to the shooting. The interview was concluded.

<u>I.A.B. Note:</u> Refer to Exhibit A, Pages 48 & 49 for Homicide Investigators interview with Witness [redacted]

CRIMINAL INVESTIGATOR and CHARGES FILED:

Investigator: Homicide Investigators Gates and Castillo
Court: Compton Superior Court
Charges Filed: (2) Felony counts of 245 (a) (1) P.C., (1) count of 69 P.C., (1) count of 12021 (d) (1) P.C.
Court Case Status: Pending

PROPERTY DAMAGE:

Several bullet strikes in stucco wall of residence at [redacted]

<u>I.A.B. Note:</u> Refer to Exhibit A, Pages 101 thru 103 of Homicide Book.



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF FRAUD AND CORRUPTION PROSECUTIONS
JUSTICE SYSTEM INTEGRITY DIVISION

STEVE COOLEY • District Attorney
JOHN K. SPILLANE • Chief Deputy District Attorney
CURTIS A. HAZELL • Assistant District Attorney

JANICE L. MAURIZI • Director

June 16, 2008

Captain James Curtis
Homicide Bureau
Los Angeles County Sheriff's Department
5747 Rickenbacker Road
Commerce, California 90040

Re: J.S.I.D. File #: 07-0651
L.A.S.D. File #: 007-20900-2137-055

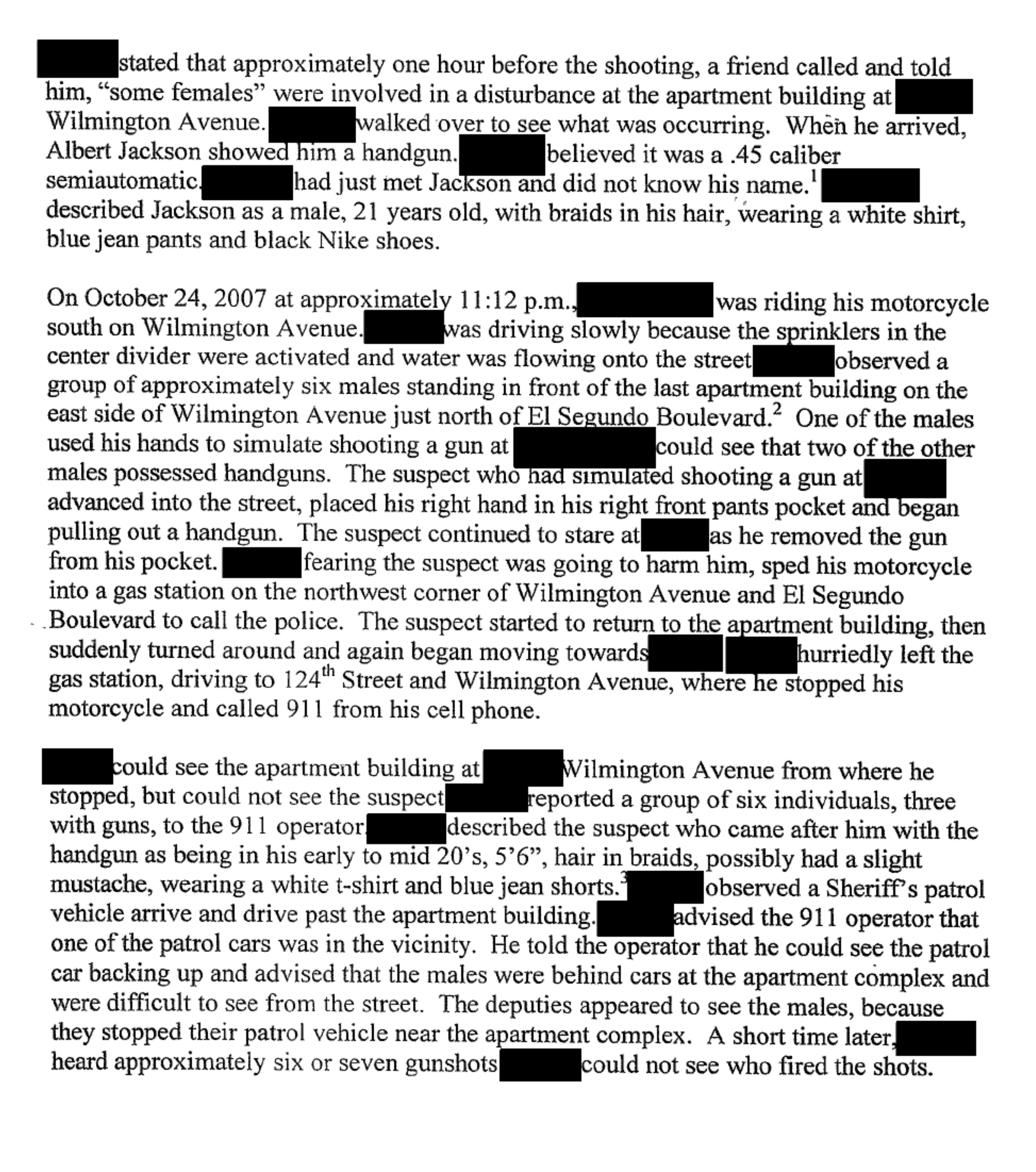
Dear Captain Curtis:

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the October 24, 2007, non-fatal shooting of Albert Jackson by Los Angeles County Sheriff's Deputies [redacted] and Alexander Vallozzi. We have determined that Deputies [redacted] and Vallozzi acted lawfully in self-defense and the defense of others.

The following analysis is based on reports prepared by the Los Angeles County Sheriff's Department (LASD) Homicide Bureau, submitted to this office on March 18, 2008, by Detectives David Castillo and Jim Gates. No compelled statements were considered. The District Attorney Command Center was notified of this shooting at 12:17 a.m. on October 25, 2007. The District Attorney Response Team, consisting of Deputy District Attorney Sean Hassett and District Attorney Senior Investigator [redacted] responded to the scene. They were given a briefing of the circumstances surrounding the incident and a "walk through" of the scene by Lieutenant Larry Lincoln.

FACTUAL ANALYSIS

On October 24, 2007 at approximately 11:20 p.m., [redacted] was walking southbound on Wilmington Avenue when he saw one or two deputy sheriffs shooting towards an apartment building on the east side of Wilmington Avenue. [redacted] was too far away to observe any details of the shooting.



[redacted] stated that approximately one hour before the shooting, a friend called and told him, "some females" were involved in a disturbance at the apartment building at [redacted] Wilmington Avenue. [redacted] walked over to see what was occurring. When he arrived, Albert Jackson showed him a handgun. [redacted] believed it was a .45 caliber semiautomatic. [redacted] had just met Jackson and did not know his name.[1] [redacted] described Jackson as a male, 21 years old, with braids in his hair, wearing a white shirt, blue jean pants and black Nike shoes.

On October 24, 2007 at approximately 11:12 p.m., [redacted] was riding his motorcycle south on Wilmington Avenue. [redacted] was driving slowly because the sprinklers in the center divider were activated and water was flowing onto the street. [redacted] observed a group of approximately six males standing in front of the last apartment building on the east side of Wilmington Avenue just north of El Segundo Boulevard.[2] One of the males used his hands to simulate shooting a gun at [redacted] could see that two of the other males possessed handguns. The suspect who had simulated shooting a gun at [redacted] advanced into the street, placed his right hand in his right front pants pocket and began pulling out a handgun. The suspect continued to stare at [redacted] as he removed the gun from his pocket. [redacted] fearing the suspect was going to harm him, sped his motorcycle into a gas station on the northwest corner of Wilmington Avenue and El Segundo Boulevard to call the police. The suspect started to return to the apartment building, then suddenly turned around and again began moving towards [redacted] [redacted] hurriedly left the gas station, driving to 124th Street and Wilmington Avenue, where he stopped his motorcycle and called 911 from his cell phone.

[redacted] could see the apartment building at [redacted] Wilmington Avenue from where he stopped, but could not see the suspect. [redacted] reported a group of six individuals, three with guns, to the 911 operator. [redacted] described the suspect who came after him with the handgun as being in his early to mid 20's, 5'6", hair in braids, possibly had a slight mustache, wearing a white t-shirt and blue jean shorts.[3] [redacted] observed a Sheriff's patrol vehicle arrive and drive past the apartment building. [redacted] advised the 911 operator that one of the patrol cars was in the vicinity. He told the operator that he could see the patrol car backing up and advised that the males were behind cars at the apartment complex and were difficult to see from the street. The deputies appeared to see the males, because they stopped their patrol vehicle near the apartment complex. A short time later, [redacted] heard approximately six or seven gunshots. [redacted] could not see who fired the shots.

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[1] On October 26, 2007, [redacted] identified Jackson, in a six person photo lineup, as the individual who showed him a gun one hour prior to the shooting.

[2] [redacted] Wilmington Avenue.

[3] At the time of this incident, Albert Jackson was 21 years old, 5'8, with braided hair, slight facial hair, wearing a white t-shirt and blue jean shorts. After the incident, investigators were unable to locate [redacted] to make a formal identification.

Detective Ponsford stated he and his partner, Detective Modica, responded to a radio call indicating there were approximately six males, several of whom were in possession of handguns. When they arrived at the apartment complex at [redacted] Wilmington Avenue, they observed Albert Jackson walk out to the sidewalk, look in their direction and immediately walk back into the apartment complex. They noticed Jackson matched the description of one of the individuals described in the radio call and attempted to contact him. Jackson fled. Ponsford and Modica pursued Jackson all the way around the apartment complex, and then back towards Wilmington Avenue.

As they pursued Jackson, Detective Ponsford observed Jackson holding a blue steel handgun in his left hand, while using his right hand to hold up his pants. Ponsford advised assisting units over the "L-Tac" frequency that Jackson was armed with a handgun and running west toward Wilmington Avenue. When Jackson, who was still holding the handgun, reached Wilmington Avenue, he began running northbound on the east sidewalk. Jackson then turned and ran east down the driveway of the apartment complex at [redacted] Wilmington Avenue.

Detective Ponsford observed Deputies [redacted] and Vallozzi arrive at the entrance to the driveway of [redacted] Wilmington Avenue. [redacted] took a position on the north side of the driveway and Vallozzi took up a position on the south side of the driveway. Ponsford observed Vallozzi fire several rounds in an eastward direction down the driveway. Ponsford also observed [redacted] fire two to three rounds in the same direction. When Ponsford reached the driveway of [redacted] Wilmington Avenue, he noticed the area was very dark and he could not see Jackson. Ponsford notified Dispatch that a deputy involved shooting had occurred and the suspect was still outstanding.

When additional LASD personnel arrived, Detectives Ponsford and Modica, along with Deputies [redacted] and Vallozzi, utilized their flashlights to illuminate the driveway at the rear of the apartment complex.[4] Ponsford observed Jackson's feet protruding around the corner of the last apartment at the end of the driveway. They held Jackson at gunpoint until assisting deputies handcuffed and arrested Jackson. Ponsford asked Jackson why he ran. Jackson responded that he ran because he had warrants. Ponsford told Jackson that he did not run because he had warrants. Jackson did not reply. Ponsford observed that Jackson had been shot.

Detective Modica stated that as he was pursuing Jackson back towards Wilmington Avenue, he observed Jackson remove a small handgun from his waistband area. Jackson held the gun in his left hand, as he continued to run toward Wilmington Avenue. Modica broadcast this information over his hand-held radio. Modica, fearing Jackson might try to jump a fence and return, took up a position of containment in the middle of the driveway at [redacted] Wilmington Avenue. Modica then heard approximately six to ten gunshots.

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[4] The area was very dark and the only light present was the illumination from their flashlights.

Deputy Alexander Vallozzi stated that he and his partner, Deputy [redacted] monitored a radio call of six males, three possibly armed with guns, near the corner of El Segundo Boulevard and Wilmington Avenue. They drove their marked police vehicle north on Wilmington Avenue to 126th Street, where they attempted to make contact with the 911 caller. When they reached 126th Street, they received updated information that the caller was now at 124th Street. They made a U-turn and were driving south on Wilmington Avenue, when they monitored a radio broadcast from Detective Ponsford that a male, armed with a handgun, was running westbound through an apartment complex towards Wilmington Avenue. Simultaneously, Vallozzi observed Albert Jackson run out of the apartment complex at [redacted] Wilmington Avenue.

Jackson began to run northbound on the east sidewalk of Wilmington Avenue. Deputy Vallozzi observed that Jackson was holding a handgun in his right hand. Vallozzi stopped their patrol vehicle, and he and Deputy [redacted] ran across northbound Wilmington Avenue towards Jackson. They ordered Jackson to stop, drop the gun and get on the ground. Jackson looked in their direction and immediately began to run eastbound down the driveway at [redacted] Vallozzi and [redacted] ran to the entrance of the driveway and Vallozzi again ordered Jackson to stop, drop his gun and get on the ground.

Deputies Vallozzi and [redacted] were approximately 25 to 30 feet away from Jackson when Jackson turned his right shoulder and pointed a handgun at them.[5] Vallozzi, fearing for his life and the life of his partner, fired his weapon seven to nine times at Jackson. Jackson continued running eastbound down the apartment driveway out of sight. Vallozzi did not know if Jackson had been struck by gunfire.

Deputies Vallozzi and [redacted] maintained their position at the entrance to the driveway. With the arrival of additional LASD personnel, Deputies Vallozzi and [redacted] along with Detectives Ponsford and Modica, began moving down the driveway, using their flashlights for illumination. Vallozzi observed the "profile of a shoe" sticking out from the north area of the apartment driveway. They illuminated the shoe with their flashlights and observed it was Jackson lying on the driveway.

Deputy [redacted] stated he and his partner, Deputy Alexander Vallozzi, monitored a radio call of several males with guns at El Segundo Boulevard and Wilmington Avenue. They responded, driving north on Wilmington Avenue to 126th Street, when they received updated information that the 911 caller was now at 124th Street and Wilmington Avenue. They made a U-turn and began traveling south on Wilmington Avenue, when they received additional information that the suspect, wearing a white shirt and blue jeans, was armed with a handgun and running north on Wilmington Avenue.

Deputy Vallozzi advised [redacted] that he saw the suspect running on the east side of Wilmington Avenue. [redacted] directed his attention to the east side of Wilmington

[5] Deputy Vallozzi described Jackson's weapon as a black semiautomatic handgun.

Avenue and observed Albert Jackson running northbound towards them. [redacted] could "clearly" see Jackson was holding a handgun in his right hand. [redacted] and Vallozzi exited their vehicle and began to advance towards Jackson. [redacted] ordered Jackson to stop and put his gun down. Jackson turned and began to run eastbound down the driveway of the apartment complex located at [redacted] Wilmington.

Deputy [redacted] was approximately twenty five feet from Jackson, when Jackson turned and pointed a handgun at him. Fearing for his life and the life of his partner, [redacted] stopped running and fired two rounds at Jackson. Jackson turned away from [redacted] and continued running until he disappeared out of sight down the darkened apartment driveway. [redacted] did not believe Jackson had been struck by their gunfire.

When additional LASD personnel arrived, Deputies [redacted] and Vallozzi, along with Detectives Ponsford and Modica, began to search for Jackson down the darkened driveway. [redacted] observed Jackson's foot protruding around the corner of the last apartment at the end of the driveway. Jackson was eventually taken into custody. Jackson stated that he had been shot.

At approximately 11:45 p.m., paramedic engine 41 responded to the scene. Jackson was treated for a gunshot wound to his right shoulder and was transported to St. Francis Hospital for additional medical attention. No other deputies or persons were injured.

Jackson's weapon was never recovered.

Albert Jackson stated he was drinking and smoking with five other individuals in the front yard area of the apartment complex located at [redacted] Wilmington Avenue, when a disturbance involving some "females" occurred. Sheriff's deputies arrived, sorted out the disturbance and left. Approximately five to ten minutes later, Jackson observed additional deputies return to the complex. Jackson ran away from the deputies, because he believed he had warrants.[6]

Jackson stated he ran to the rear of the apartment complex, then west down the driveway to Wilmington Avenue. When he reached Wilmington Avenue, he ran north until he observed two more deputies. He then ran east down the driveway of the apartment complex at [redacted] As he was running down the driveway, he heard the deputies say, "Freeze! Drop the gun." When he heard the deputies' commands, he raised his hands, then lowered them and continued to run. At that point he heard "close to ten shots." He believes one of the last gunshots struck him. After being hit by the gunshot, he laid on the ground at the end of the driveway.

Jackson denied he ever possessed a handgun. Jackson believed the deputies who shot at him thought he had a gun, because they yelled for him to, "Drop the gun." Jackson stated he never displayed a handgun to anyone on a motorcycle.

[6] It is unknown why Jackson suddenly believed he had warrants.

At the time of this incident, Albert Jackson was on [redacted] On February 08, 2007, Jackson was [redacted]. Jackson has [redacted]. In 2005, Jackson received [redacted]

On October 29, 2007, in case number TA093570, Albert Jackson was charged with Assault with a Deadly Weapon in violation of Penal Code Section 245(a)(1), Resisting Executive Officer in violation of Penal code Section 69, and Unlawful Firearm Activity in violation of Penal Code Section 12021(d)(1). Jackson pled no contest to one count of Penal Code Section 417(c), drawing or exhibiting a firearm in the immediate presence of a peace officer, and is awaiting sentencing on June 19, 2008.

CONCLUSION

Pursuant to California law, a person is justified in using deadly force in self-defense when that person reasonably believes that he or she is in imminent danger of being killed or suffering great bodily injury and that the use of deadly force is necessary to protect against that danger. *Judicial Council of California Criminal Jury Instructions (CALCRIM) 505.* People v. Williams, (1977) 75 Cal.App.3d 731.

The "reasonableness" of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight…The calculus of reasonableness must embody allowance for the fact that police are often forced to make split-second judgments – in circumstances that are tense, uncertain, and rapidly evolving – about the amount of force that is necessary in a particular situation. *Graham v. Conner, (1989) 490 U.S. 386, 396-397.*

The evidence examined in this investigation indicates that on October 24, 2007, Albert Jackson exhibited a firearm to [redacted] Shortly thereafter, Jackson simulated shooting [redacted] When [redacted] failed to immediately flee, Jackson retrieved a handgun from his pocket and advanced on [redacted] Fearing for his life, [redacted] fled and called 911.

Responding to [redacted] emergency 911 call, Deputies [redacted] and Vallozzi observed Jackson running from detectives with a gun in his hand. Deputies [redacted] and Vallozzi ordered Jackson to stop, and drop the weapon. Jackson refused, and instead pointed his gun at them. Fearing for their lives, both deputies fired at Jackson, wounding him in the shoulder.

Accordingly, given the life threatening situation confronting Deputy [redacted] and Deputy Vallozzi, we find that they both acted lawfully in self-defense and defense of others. We are closing our file and will take no further action in this matter.

Very truly yours,

STEVE COOLEY
District Attorney

By Sean Hassett

SEAN HASSETT
Deputy District Attorney
(213)974-3888

c: Deputy [redacted] Serial # [redacted]
Deputy Alexander Vallozzi, Serial # [redacted]